

REMARKS

This responds to the Office Action mailed on March 21, 2008.

Claims 1 and 8 are amended; claims 14-20 were previously canceled, without prejudice to the Applicant; as a result, claims 1-14 are now pending in this application.

Moreover, support for the amendments may be found in a variety of locations throughout the original filed specification. By way of example only, the Examiner's attention is directed to the original filed specification paragraphs 20, 22, 36, and 39.

Claim Objections

Claim 1 was objected to because of the following informalities: On line 6, "associating with" was indicated to require correction to "associating it with". The requested correction was made to claim 1 as suggested by the Examiner; accordingly this rejection is now a moot point.

§101 Rejection of the Claims

Claim 8 was rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has clarified that the medium is a "storage medium" and that the method processes on a "computer." As such, this claim can no longer be viewed as software per se and includes hardware limitations requested by the Examiner. Thus, this rejection is also now a moot point.

§103 Rejection of the Claims

Claims 1-14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wu (U.S. Publication Number 2004/0068572) in view of Parsons et al. (U.S. 6,349,337; hereinafter "Parsons"). It is of course fundamental that in order to sustain an obviousness rejection that each and every limitation in the rejected claims must be taught or suggested in the proposed combination of references.

The Examiner has relied on Parsons for teaching saving a preference. Parsons requires that a user freeze a session and not terminate it before it can permit a simultaneous log in from

another device and before it can transition a different session back to the state of the frozen session. The Examiner's attention is directed to Parsons column 12 lines 39-49.

Conversely, Applicant has amended the claims were the first session is expressly terminated (not stalled or frozen) and on subsequent sessions the preference is re-instated. Parsons is incapable of achieving this the initial session cannot terminate in Parsons for Parsons approach to work.

Thus, the rejections are no longer appropriate in view of the amended claims and the rejections of record should be withdrawn. Applicant respectfully requests an indication of the same.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action; however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. § 1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

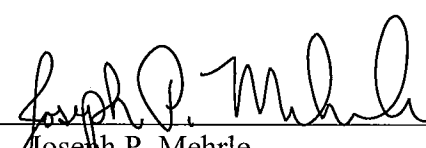
Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (513) 942-0224 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-4370.

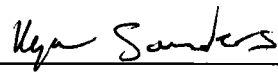
Respectfully submitted,

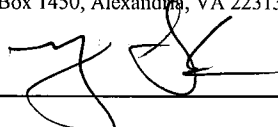
SCHWEGMAN, LUNDBERG & WOESSNER, P.A.
P.O. Box 2938
Minneapolis, MN 55402
(513) 942-0224

Date 07/21/08

By /  /
Joseph P. Mehrle
Reg. No. 45,535

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: MS RCE, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 21st day of July, 2008.


Name


Signature